

**October 4, 2017**

**Ex Parte**

Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street SW Washington, DC 20554

Re: MB Docket No. 15-146

GN Docket No. 12-268

GN Docket No. 12-354

GN Docket No. 17-183

Dear Ms. Dortch:

On October 2, 2017, Kalpak Gude, President of the Dynamic Spectrum Alliance (DSA) met separately with Louis Peraertz, Wireless, Public Safety and International Advisor to Commissioner Mignon Clyburn, and with Commissioner Jessica Rosenworcel and Holly Saurer, Media Advisor to Commissioner Rosenworcel, regarding the above-listed proceedings.

Regarding the Television White Space (TVWS) proceeding, Mr. Gude discussed the importance of the FCC moving quickly to establish regulatory certainty in the band for TVWS deployment. Additional unlicensed spectrum in low-, mid-, and high-bands is critically important to the delivery of new and higher capacity Internet access services. TVWS technology, operating in the low-band UHF and VHF spectrum, provides an important way to use unlicensed bands to connect devices at great distances (for rural services) and through obstructions such as buildings (for urban connectivity).

The DSA believes that the vacant channel proceeding, in particular, would provide the availability of at least three channels in every market such that chip manufacturers are incentivized to design and build Application Specific Integrated Circuit (ASIC) chips for TVWS devices, thus lowering cost and enabling deployment in significantly greater diversity of devices. The importance of ensuring availability of the vacant channel is greater than the question of any individual market, as ASIC development and deployment will impact TVWS availability in every market. DSA urges that the Commission move forward as quickly as possible, and in conjunction with its broadcast repack efforts, to resolve the vacant channel issue.

With respect to the CBRS issue, the DSA strongly supports keeping the CBRS PAL rules unchanged. To the degree that the Commission sees the need to modify the term length for PAL licenses, DSA would support changes that were tied to economic recovery of investment. Claims that periods longer than that are necessary for investment are generally unpersuasive. Business investment decisions are made on the basis of recovery of investment. Although it would be nice from an operator's perspective to

retain spectrum in perpetuity after winning a PAL auction, it is hard to argue that it is essential for investment purposes. Renewal rights and expectations would merely slow innovation and preclude market forces from moving spectrum into the hands of those who valued it most.

Mr. Gude also raised the issue of the mid-band NOI the Commission has released. DSA believes that protection of incumbent services in the band would enable a much quicker path towards fuller utilization of the spectrum. Debates about forcing incumbents to either vacate the band or grandfather existing services, thus stifling any potential future growth, would only slow the process and leave the spectrum under utilized for many years. A dynamic approach to spectrum access, using techniques that are already utilized in TVWS, CBRS, or in the 5GHz band for Wi-Fi deployment would be a better path for spectrum management of the bands. It would avoid the zero-sum game spectrum fights that have kept many bands under utilized for years, and could provide this Commission with the opportunity to have real deployment within the next few years. The economic value of earlier deployment should not be underappreciated, and would provide the United States and the FCC to once again provide real global leadership through actual investment and service delivery.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Kalpak Gude', written in a cursive style.

Kalpaka Gude

President

Dynamic Spectrum Alliance